

STEPHANIE M. HINDS (CABN 154284)
 United States Attorney
 MICHELLE LO (NYRN 4325163)
 Chief, Civil Division
 SAVITH IYENGAR (CABN 268342)
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 Telephone: (415) 436-7200
 FAX: (415) 436-6748
 savith.iyengar@usdoj.gov

Attorneys for Defendant
 UNITED STATES DEPARTMENT OF
 HEALTH AND HUMAN SERVICES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

THE CENTER FOR INVESTIGATIVE
 REPORTING and AURA BOGADO,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
 HEALTH AND HUMAN SERVICES,

Defendant.

) No. 20-cv-00608-SK

) **STIPULATION CONTINUING INITIAL CASE**
) **MANAGEMENT CONFERENCE AND**
) **[PROPOSED] ORDER**

Plaintiffs The Center for Investigative Reporting and Aura Bogado (“Plaintiffs”) and defendant United States Department of Health and Human Services (“Defendant”), through their undersigned counsel, hereby stipulate pursuant to Civil Local Rule 6-2 and 7-12, subject to the approval of the Court, that the initial case management conference (“CMC”) set for March 14, 2022 at 1:30 p.m. be continued to April 11, 2022 at 1:30 p.m., with the parties’ joint CMC statement due on April 4, 2022. This stipulation is based on the following facts:

1. This action, filed on January 27, 2020 under the Freedom of Information Act (“FOIA”), identifies five FOIA requests directed to Defendant, dated July 10, 2019, November 27, 2019, December 2, 2019, December 6, 2019, and December 17, 2019, that are the subject of this litigation. Since the filing of the lawsuit, the parties have engaged in cooperative and productive communications regarding

the documents sought in the requests and the search for and release of responsive records.

2. In their prior submissions to the Court, the parties reported that they had reached an agreement that would resolve this action and were completing the final part of that agreement, *i.e.*, Defendant's review and production of significant incident reports to Plaintiffs at an agreed-upon rate. ECF No. 48 at 2. Most recently, on February 7, 2022, the parties stipulated and respectfully requested that the Court continue their CMC from February 14, 2022 until March 14, 2022 to give them time to continue this process, ECF No. 56, which the Court granted, continuing the parties' CMC until March 14, 2022, with the parties' CMC statement due by March 7, 2022. ECF Nos. 57.

3. On December 21, 2021, Defendant completed its production of significant incident reports to Plaintiffs, and the parties have been meeting and conferring regarding whether further action is needed before they may resolve this action. In order to continue this process, the parties stipulate and respectfully request that the Court continue the CMC currently scheduled for March 14, 2022 at 1:30 p.m. until April 11, 2022 at 1:30 p.m. The parties will provide a further update to the Court regarding their progress in either a request and proposed order continuing the CMC or a joint CMC statement on or before April 4, 2022. The parties respectfully submit that this is the most efficient manner to proceed and will conserve the parties' and Court's resources.

In accordance with Civil Local Rule 5-1(h)(3), the filer of this document attests that all signatories listed below concur in the filing of this document.

Respectfully submitted,

DATED: March 7, 2022

STEPHANIE M. HINDS
United States Attorney

/s/ Savith Iyengar
SAVITH IYENGAR
Assistant United States Attorney

DATED: March 7, 2022

THE CENTER FOR INVESTIGATIVE REPORTING

/s/ D. Victoria Baranetsky
D. VICTORIA BARANETSKY

Attorney for Plaintiffs

[PROPOSED] ORDER

Upon the parties' request, the Court HEREBY CONTINUES the case management conference from March 14, 2022 at 1:30 p.m. until April 11, 2022 at 1:30 p.m. The parties shall file a joint case management statement by no later than April 4, 2022.

IT IS SO ORDERED.

Dated:

SALLIE KIM
United States Magistrate Judge